

REMARKS

Claims 1-10 and 18-24 are now pending in the application. Claim 18 has been amended herein solely to overcome the objection based on indefiniteness. Claims 19-24 have been added. Claims 11-17 were previously withdrawn by the Examiner and are herein cancelled (subject to their reintroduction in a divisional application). No new matter has been added to the application by the above amendments.

It is respectfully submitted that the references of record do not suggest or disclose the winding device or spool defined by the pending claims. Therefore, the outstanding rejections should be withdrawn and a Notice of Allowance issued.

Allowable Subject Matter

Claims 2-5, 8 and 9 as filed were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Accordingly, new Claim 19 is a combination of original Claims 1 and 2. Claims 20, 21 and 22 correspond to Claims 3, 4 and 5 respectively. Claim 23 is the combination of original Claims 1, 6, 7 and 8. Claim 24 corresponds to Claim 9. It is respectfully submitted that these new Claims 19-24 are in condition for allowance.

Claim 18 as filed was also considered allowable if rewritten to overcome the objection(s) under 35 U.S.C. §112. Claim 18 has been amended as suggested in the Office Action. The term “to” has been inserted and the claim language regarding the term “it” in line 5 has been clarified. It is respectfully submitted that amended Claim 18 is in condition for allowance.

Claim Rejections

Claim 1 stands rejected as being anticipated by US 6,511,009 to Harrison et al. (the “’009 patent”). This rejection is respectfully traversed.

The device of Claim 1 is utilized for winding an elongated flexible material. The claimed device generally includes a primary winding surface formed by an elongated barrel, a flange at one end of the barrel, an auxiliary winding surface on the opposite side of the flange from the barrel, and a guide pathway communicating with the primary and auxiliary winding surfaces. The guide pathway directs the elongated flexible material from the primary winding surface to the auxiliary winding surface. The guide pathway includes opposite end segments interconnected by a transition segment. At least a portion of each of the end segments directs the flexible material in a substantially circumferential direction with respect to an axis of rotation.

The guide pathway further reversing the flexible material in the transition segment to provide for simultaneous winding of an elongated flexible material onto the primary and auxiliary winding surfaces. Thus, the guide pathway includes a reversing pathway between the primary winding surface and the auxiliary winding surfaces. The reversing pathway allows orientation of elongated flexible material in the same direction so that the material can be wound onto the two winding surfaces at the same time.

Claim 1 can only be anticipated if each and every element set forth is described, either inherently or expressly, in the '009 patent. The '009 patent discloses a cable storage apparatus including a spool for holding communications cable. (See Abstract and column 1, lines 6-8.) The spool includes an S shaped pathway that extends through a middle region of the spool. The pathway connects a first circumferential pathway with a second circumferential pathway. (See column 3, lines 6-9.) The '009 patent discloses that the circumferential cable pathways of the spool have the shape of concentric circles, although other shapes are disclosed such as an oval, an egg, or a non-conventional shape. (See column 3, lines 53-56). However, the '009 patent does not teach reversing the feeding direction utilizing a transition segment between the two ends of the pathway. Therefore, the anticipation rejection to Claim 1 based on the '009 patent should be withdrawn.

Claims 6 and 7 stand rejected as being obvious based on the combination of the '009 patent and US 5,908,172 to Pierro et al. (the "'172 patent"). This rejection is also respectfully traversed.

As previously set forth, the '009 patent does not suggest or disclose reversing the feeding direction utilizing a guide pathway within a transition segment. While the '009 patent includes the phrase "or a non conventional shaped [sic]" in describing a circumferential cable pathway, this statement does not provide any specific motivation or guidance to one skilled in the art to modify the pathway of the '009 patent in the manner specifically claimed by Claim 1.

The Office Action relies on the '172 patent to show how the first and second parts of the barrel/primary winding area of the '172 patent are secured to one another. However, combining the '009 patent with the '172 patent does not overcome the deficiencies of the '009 patent as set forth above with respect to Claims 6 and 7 (which depend from Claim 1). The '172 patent does not suggest or disclose a pathway that reverses the feeding direction. Even if one skilled in the art were to combine the '009 and '172 patents as proposed by the Office Action (but not

suggested by these references), the resultant combination would fail to result in Claims 6 and 7. One of ordinary skill in the art would not find any motivation or guidance to combine the '009 and '172 patents in order to construct the guide pathway of Claim 1, from which Claims 6 and 7 depend. It is therefore respectfully requested that the rejection to Claims 6 and 7 be withdrawn and that these claims be allowed.

Claim 10 stands rejected as being obvious based on the '009 patent and US 4,387,863 to Edmonston et al. (the "'863 patent"). This rejection is also respectfully traversed.

The arguments set forth above with respect to the '009 patent are reiterated. Further, the Office Action relies on the '863 patent as allegedly showing a similar winding device having two flange walls and two auxiliary winding surfaces with respective guide pathways. However, the '863 patent discloses a spool with first and second identical segments. Each segment includes a semicircular hub and a flange at the end of each hub. (See column 3, lines 19-24.) The flange has first and second peripheral rims separated by a channel. (See column 3, lines 23-29.) The channel is directed tangentially to the primary winding surface. (See column 3, line 62 through column 4, line 15.) Similar to the '009 patent, the '863 patent does not suggest or disclose a pathway between two winding surfaces that reverses the feeding direction. The channel in the '863 patent does not turn at all let alone reverse in direction. Even if one skilled in the art were to combine the '009 and '863 patents, as suggested in the Office Action, the resulting spool would not include a guide pathway that reverses in direction in a transition segment to provide for the simultaneous winding onto the primary and auxiliary winding areas. It is therefore respectfully requested that the rejection to Claim 10 be reconsidered and withdrawn.

It is respectfully submitted that the claims as presently pending are patentably distinct from the references of record. A Notice of Allowance is solicited.

If direct communication will expedite the allowance of the application, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

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